

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ELWOOD SMALL,	:
Plaintiff,	:
v.	: Case No. 3:08-cv-44-KRG-KAP
JOSEPH W. VISINSKY, ANNETTE	:
KOWALEWSKI, FRED R. MAUE, M.D.,	:
and RICHARD ELLERS,	:
Defendants	:

MEMORANDUM ORDER

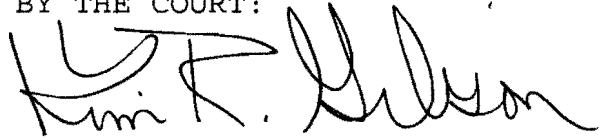
The petitioner's motion for reconsideration, docket no. 54, was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(3). The Magistrate Judge filed a Report and Recommendation on June 22, 2009, docket no. 55, recommending that the motion for reconsideration be denied.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. After an extension of time was granted, plaintiff filed objections, docket no. 58, which are meritless.

Upon de novo review of the record of this matter, the Report and Recommendation, and the objections thereto, the following order is entered:

AND NOW, this 6th day of November 2009, it is
ORDERED that plaintiff's motion for reconsideration,
docket no. 54, is denied.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice by ECF to counsel of record and by U.S. Mail to:

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